

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Case No. 22-mj-678 BRT

DISTRICT OF MINNESOTA)
) ss. **FILED UNDER SEAL**
COUNTY OF HENNEPIN)

I, William Wethington, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and am thus an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18 of the United States Code. I have been an ATF Special Agent since October 2019. I am currently assigned to the St. Paul Field Office. In my capacity as an ATF Special Agent, I have participated in criminal investigations of individuals and entities related to violations of Federal Laws, particularly those laws found in United States Code, Titles 18 (firearms), 21 (narcotics), and 26 (firearms). In addition, I work with various law enforcement agencies and drug task forces throughout the State of Minnesota that have collectively participated in hundreds of investigations involving firearms and controlled substances violations. Prior to his employment with the ATF, I was a Police Officer on Saint Louis, Missouri Metropolitan Police Department for approximately seven years.

3. This affidavit is submitted for the limited purpose of establishing probable cause in support of issuing a complaint and arrest warrant for Jesus Manuel VALDEZ for possession of a firearm by a felon in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

4. This affidavit is based on my personal knowledge, as well as information I have learned from other law enforcement officers and the review of reports, written materials, and recordings. This affidavit does not include all the details I have learned regarding this investigation. Rather, it only includes information believed to be sufficient to establish probable cause.

PROBABLE CAUSE

a. *Information from a Confidential Source about VALDEZ's Drug Trafficking.*

5. On or about July 27, 2022, ATF Special Agent Nathan Boyer and I met with a Confidential Source (CS) who provided information on the ongoing criminal activity of Jesus Manuel VALDEZ. It should be noted that this CS was currently pending multiple criminal cases in various jurisdictions within the State of Minnesota and was providing information for charging consideration. The CS informed me that the CS wished to remain anonymous for fear of the CS's physical safety.

6. During this interview, the CS provided information on an armed drug dealer the CS referred to as "Jesus Manuel Valdez," also known as "Flaco," who resided near the intersection of 42nd and Aldrich in North Minneapolis. The CS stated "Jesus Manuel Valdez" had a Facebook Profile page of the same name. The

CS described the house as being on Aldrich Avenue, and having a wooden picket fence around the front yard that was unpainted. Special Agent Boyer located 4123 North Aldrich Avenue as having such a fence via the GOOGLE MAPS cell phone application.

7. Special Agent Boyer showed the image of 4123 North Aldrich Avenue, which the CS immediately identified as Jesus Manuel Valdez's home. While still in the interview, I contacted a Minneapolis Police Department Analyst who located a person of interest named Jesus Manuel VALDEZ.

8. The CS was shown a driver's license photograph of VALDEZ, whom the CS identified immediately as the subject the CS was describing. VALDEZ's DVS address of record listed on his driver's license is 4123 North Aldrich Avenue. It should be noted that VALDEZ has a distinct tattoo of a crown over his left eye.

9. The CS stated VALDEZ is a gang member of the Latin Kings street gang, and a large-scale narcotics dealer. The CS stated the CS has known VALDEZ for over three years, and has purchased narcotics from VALDEZ inside 4123 North Aldrich Avenue on multiple occasions. The CS has seen VALDEZ in possession of what the CS described as a pound of fentanyl, and said VALDEZ has methamphetamine in his upstairs room. The CS knows VALDEZ to utilize Facebook Messenger to facilitate narcotics deals, as the CS has previously made drug deals using Facebook Messenger.

10. The CS further stated VALDEZ has "ghost guns" and other weapons inside his home. The CS stated the CS was inside of VALDEZ's home within the last

48 hours. While inside, the CS saw a large amount of fentanyl, an amount of methamphetamine and “ghost guns.” Based upon my training and experience, I know the term “ghost guns” to be common slang term for a Privately Made Firearm or PMFs. Such firearms usually do not contain serial numbers, and are therefore difficult to track by law enforcement. In the past year, the Twin Cities area has experienced a drastic increase in PMFs use by criminals trying to conceal their illegal activity.

11. The CS further stated VALDEZ lives with his girlfriend, a woman with the initials L.H., and a small child.

12. The CS stated VALDEZ operates multiple vehicles, but primarily drives a light blue Ford Mustang, a Chevrolet Suburban, or a Volkswagen Passat. The CS stated the CS has seen VALDEZ use the Mustang for street level narcotics transactions.

13. On July 27, 2022, I conducted a brief surveillance period on 4123 North Aldrich Avenue. I located a light blue, Ford Mustang bearing Minnesota Issued license plate JFX 553 parked in front of the home. This vehicle matches the description provided by the CS.

b. *Prior Incident in which VALDEZ Was Shot.*

14. A computer inquiry conducted via the Minneapolis Police Department Report Writing System (PIMS) revealed an incident occurring on February 14, 2022, where VALDEZ was the victim of a shooting. On that date at approximately 1:10 a.m., officers of the Minneapolis Police Department were dispatched to the vicinity of

34th Avenue North. and Washington Avenue North in response to a shooting. This shooting was described as in or near a RV type trailer at that location.

15. According to reports, responding officers met with a woman with the initials M.H., who after being initially evasive was ultimately discovered to be the owner of the RV. M.H. stated a male, later identified as VALDEZ, had been shot and transported to the hospital by a woman with the initials J.P. Due to the nature of the radio assignment, and discovering blood on the ground outside of the RV, officers checked the inside of the RV for a crime scene and/or additional victims. During this check, Officers discovered two firearms in plain view. M.H. told officers she had no knowledge regarding the firearms. A computer inquiry on these firearms revealed them to be reported stolen by Apple Valley Police Department and Saint Paul Police Department, respectively.

16. Officers then responded to North Memorial Hospital where J.P. had transported VALDEZ to the emergency room. Officers interviewed J.P. J.P. said she knew VALDEZ as "Flaco," but was unaware of his real name. Officers told J.P. firearms were discovered in the RV. J.P. told officers she was unaware of any firearms inside the trailer, but was unsure if VALDEZ had brought one in. J.P. stated VALDEZ had been outside the RV greeting a friend when she heard a gunshot and VALDEZ say something to the effect of "they got me." J.P. stated she knew VALDEZ had just got out of prison, and that his drug of choice was methamphetamine.

17. Investigators interviewed VALDEZ when he was physically able. During the interview, VALDEZ admitted to being a member of the Latin Kings, but

said he had disassociated himself since leaving prison. VALDEZ stated he was outside the RV when he saw a suspicious vehicle driven by a white male with a bald head or buzzcut haircut.

18. VALDEZ stated he entered the RV to ask J.P. about the suspicious truck, then went back outside to turn off his vehicle. VALDEZ said he approached the driver of the truck, then heard one shot and realized he was shot in the abdomen. J.P. then took him to the hospital. VALDEZ provided a physical description to officers; however, no positive identification was made. Officers later inventoried VALDEZ's wallet and find a large sum of counterfeit money. This incident is documented in its entirety in Minneapolis Police Report 2022-31632.

c. *VALDEZ's Prior Arrest for Drug Trafficking.*

19. Additional computer inquiries revealed VALDEZ had been arrested by the Fridley Police Department on May 4, 2022. During this incident, detectives with the Fridley Police Department were conducting a follow up investigation at The Woodspring Suites located on 57th Avenue Northeast. Prior to arrival it was determined with hotel management that VALDEZ was the sole renter of the apartment in question.

20. Detectives knocked on the door of the hotel room and announced themselves as police officers. Detectives heard rustling inside the apartment and what sounded like a window opening. A detective went outside and found a green backpack on the ground directly under VALDEZ's room as if thrown out the window. This bag was later found to contain approximately seven pounds of

methamphetamine.

21. Detectives observed an individual, later identified as VALDEZ, appear to be attempting to jump from the same window to make an escape. Detectives gained entry and detained those inside: VALDEZ and two other individuals.

22. Detectives located a purple crown royal bag containing a “ghost gun” under the bed of the hotel room. VALDEZ had \$2,295 cash on his person during this incident. This case is pending DNA results for charging. This incident is documented in its entirety in Fridley Police Report 22091226.

d. *The Search of the CS's Phone.*

23. On July 28, 2022, I was contacted by a detective from the Brooklyn Center Police Department who stated he had obtained a state warrant to search the CS's phone relative to a recent arrest. I responded to the Brooklyn Center Police Department to meet with the detective, who was still in possession of the CS's phone.

24. I unlocked the phone via the code provided by the CS and went to the CS's Facebook Messenger application. I located a message thread and calls between the CS and “Jesus Manuel Valdez” occurring sporadically within the last forty-eight hours.

25. Exchange included the following:

Jesus Manuel Valdez: Well I'm gonna be home soon Lindsey is trippin

CS: Why she tripping and hold up why lol. I'm not gonna be able to slide for a Lil bit had to give this ride and trying to get this other truck

Jesus Manuel Valdez: I'm bullshittin she's looking asl. Word I'm her chilling for now but I'm about to hop in traffic ya dig

CS: You home

26. After this exchange, the CS placed multiple calls to VALDEZ via Facebook Messenger speaking to him for over one minute on two separate occasions.

27. Based upon my training and experience this text message conversation indicates the set-up of a recent narcotics transactions at 4123 North Aldrich Avenue, consistent with the statement made by the CS. Also based upon my training and experience, narcotics dealers and purchasers will often use slang terms such as “slide” or “hop in traffic” to hide the actual, illegal nature of their actions. Furthermore, in my training and experience, I know narcotics purchasers and dealers will often resort to making an actual phone call to finalize a narcotics transaction when a text or instant message will not serve their purposes.

e. *Surveillance of 4123 North Aldrich Avenue.*

28. On July 29, 2022, during early morning hours, I conducted a brief surveillance period on 4123 North Aldrich Avenue. I located the light blue, Ford Mustang bearing Minnesota Issued license plate JFX 553 parked in parked in the rear parking pad of the home. I also located a white Chevrolet Suburban bearing Minnesota issue license plate MBJ754 parked in the same parking pad. A computer inquiry on the Suburban revealed it to be registered to L.H., residing at 4123 North Aldrich Avenue. A computer inquiry of L.H. revealed her to be prohibited from owning or possessing a firearm.

29. On August 2, 2022, I placed a surveillance vehicle on the 4100 block of N. Aldrich Ave. This vehicle is covert but equipped with surveillance cameras. This

vehicle records and can be viewed remotely. I placed the vehicle so it could view the front of Jesus VALDEZ's home, 4123 North Aldrich Avenue.

30. I reviewed the footage from the vehicle occurring on August 2, 2022, at approximately 3:15 p.m. I observed subjects matching the general physical descriptions of VALDEZ and L.H. exit the home, get mail from the mailbox, and reenter the home. It should be noted, the subject resembling VALDEZ wore a backwards baseball hat, white tank top, red pants, and white tennis shoes.

f. *The Seizure of a Firearm from VALDEZ's Person.*

31. On August 2, 2022, at approximately 11:24 p.m., an officer of the Centennial Lakes Police Department observed a Mercury Milan bearing Minnesota issued license plate HSX 787 driving in the vicinity of Lake Drive and Griggs Avenue. The officer observed this vehicle to have a headlight out and to have an expired license plate. The Officer conducted a traffic stop on the Milan near the Firebarn and West Road intersection. An additional officer responded to assist.

32. The officers approached the vehicle and found it to be occupied by L.H. (driving), and VALDEZ (in the front passenger seat). The officer who spoke with VALDEZ saw that VALDEZ's eyes were bloodshot, his speech was slurred, and he was visibly sweating and shaking. The officer then observed an open backpack at VALDEZ's feet that contained a digital scale and plastic baggies. Believing VALDEZ to be in the possession of narcotics and narcotic paraphernalia, the officer asked VALDEZ to exit the vehicle.

33. VALDEZ immediately began to scream, cry, and state something to the

effect that he “didn’t want to go to jail.” VALDEZ then turned in his seat to hug L.H. When VALDEZ did so, officers observed a black semi-automatic handgun in VALDEZ’s right pants pocket. Fearing for his safety given VALDEZ’s behavior and statements, one of the officers reached into the vehicle and removed the firearm from VALDEZ’s pants. VALDEZ then refused to exit the vehicle and continued to scream. Officers had to physically remove him from the vehicle and take him into custody.

34. Officers searched VALDEZ’s backpack and located bags of crystal methamphetamine, suspected fentanyl, a digital scale, and baggies. Additionally, VALDEZ had \$1,237 in cash on his person.

35. VALDEZ was taken to the hospital, as officers were concerned that he had ingested narcotics. Officers conducted a computer inquiry on VALDEZ and found him to be prohibited from carrying a firearm. VALDEZ is pending state charges from this incident as he was not booked into jail due to his physical condition.

36. A further inspection of the firearm located on VALDEZ’s person revealed it to be a Smith and Wesson model M & P 9mm semi-automatic pistol bearing serial number JL8476.

37. When officers initially spoke with L.H. during the traffic stop, she told them she was coming from North Minneapolis. She also informed Officers that VALDEZ was a recovering heroin and addict and had just used.

38. On August 4, 2022, I contacted the Centennial Lakes Police Department about the arrest of VALDEZ. I provided one of officers who arrested VALDEZ with a still shot of the incident captured by the surveillance vehicle on August 2, 2022, at

3:15 p.m. The officer informed me the red pants seen on the individual in the screen shot appeared to be the same as those worn by VALDEZ during his arrest.

39. On August 5, 2022, at about 9:50 a.m., I responded to the surveillance vehicle's location near 4123 N. Aldrich Avenue in order to retrieve it. I entered the vehicle and drove behind 4123 N. Aldrich Avenue in the alley. I observed Mercury Milan bearing Minnesota issued license plate HSX 787 parked in the rear parking pad of the home.

g. *The Firearm's Interstate Nexus and Valdez's Criminal History.*

40. A preliminary interstate nexus on this firearm revealed that it was not manufactured in the State of Minnesota, and would therefore have had to cross a state line to be in VALDEZ's possession on August 2, 2022.

41. A computer inquiry on VALDEZ via the National Crime Information Center revealed him to have at least the following felony convictions, each of which I know in my training and experience are punishable by a term of imprisonment exceeding one year:

Offense	Place of Conviction	Date of Conviction (On or About)
First Degree Aggravated Robbery	Anoka County, MN	11/12/2009
Domestic Assault Felony	Wright County, MN	12/6/2010
Drugs - 2nd Degree - Possess 6 Grams or More	Anoka County, MN	10/15/2014
Possess Pistol/Assault Weapon-Conviction	Hennepin County, MN	12/15/2014
Domestic Abuse Act	Hennepin County, MN	11/4/2019

42. A review of VALDEZ's criminal history indicated he has been sentenced to at least one term of imprisonment exceeding one year.

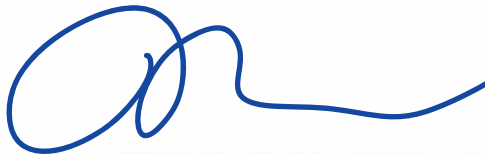
43. Based on the information set forth above, there is probable cause to believe that Jesus Manuel VALDEZ violated Title 18, United States Code, Sections 922(g)(1) and 924(a)(2), by possessing in and affecting interstate commerce a firearm after having been convicted of at least one offense punishable by imprisonment for a term exceeding one year.

Respectfully submitted,



WILLIAM WETHINGTON
ATF Special Agent

SUBSCRIBED and SWORN before me
by reliable electronic means via FaceTime and
email pursuant to Fed. R. Crim. P. 41(d)(3) on
August 16, 2022



BECKY R. THORSON
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF MINNESOTA